

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Brown, IAN L., et al. : Confirmation Number: 3940  
Application No.: 10/072,942 : Group Art Unit: 1614  
Filed: February 12, 2002 : Examiner: Kevin E. WEDDINGTON  
For: ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL TRACT

**RESPONSE TO NON-COMPLIANT AMENDMENT AND  
SUPPLEMENTAL PRELIMINARY AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment (37 C.F.R. §1.121), dated May 20, 2008 and further to the Supplemental Preliminary Amendment and Response to Restriction Requirement filed on May 14, 2008, submitted herewith is a complete listing of all of the claims presented in ascending numerical order which includes the amendment of claim 28.

This listing of claims and remarks, along with the remarks filed May 14, 2008, provide a complete response to the April 23, 2008 Office Action. Favorable re-consideration is solicited.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 6 of this paper.